

REMARKS

Claim Rejections

Claims 2-5, 7-8, 10-11 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee ('529) in view of Knox ('750). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lee and Knox and further in view of Chang ('837). Claims 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee and Knox and further in view of Furnas et al. ('862). Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lee and Knox and further in view of Sen et al. ('544).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicants must assume that the drawings are acceptable as filed.

Claim Amendments

By this Amendment, Applicant has canceled claims 2, 10 and 11, and amended claims 7-9 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The primary reference to Lee teaches a computer audio system including a computer system (10) with a housing (12), a disc play (14), an input device (16), a pointing device (18), and one or more cameras (24). Lee states, page 2, paragraph 0023:

"Examples of the input device include a keyboard, handwriting-recognition devices such as a tablet or touchpad and associated software, or speech-recognition devices such as a microphone and associated software, or the like."

Lee explicitly states that the device includes one or more camera, but does not suggest including more than one input device.

On page 3 of the outstanding Office Action, the Examiner admits that "Lee fails to explicitly teach that his projector is mounted in the casing as required by claim [14]." On page 4 of the outstanding Office Action, the Examiner admits that Lee "fails to teach a handle attached to a top of a computer casing as required by claim 6" and "fails to teach that his digital camera is provided with a light as required by claim 8 and that his digital camera has a microscopic lens as required by claim 9."

Lee does not teach a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor does Lee teach the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

The secondary reference to Knox discloses a projection display for computers including a computer (40) with a base housing (44), a microprocessor (43), a keyboard (47), a lid (45), and a projection engine (42).

Knox does not teach a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor does Knox teach the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

The secondary reference to Chang discloses a three layered laptop computer including a keyboard layer (12), a display layer (14), and a printer layer (16). The display layer includes a handle (78).

Chang does not teach a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor does Chang teach the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

The secondary reference to Furnas et al. discloses an apparatus for diagnosing allergenic microorganisms including a microscope stand (12) with a digital camera (14) remotely connected to a computer (40).

Furnas et al. do not teach a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor do

Furnas et al. teach the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

The secondary reference to Sen et al. discloses a GPRS MAC procedure to support real-time services including a computer (24) connected to a wireless telephone (26), and a base station (12) communicating with the wireless telephone and having a GPRS network (20).

Sen et al. do not teach a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor do Sen et al. teach the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

Even if the teachings of Lee, Knox, Chang, Furnas et al., and Sen et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a device having a computer main unit, a projector, a handwriting input device, a digital camera, a key board, and a mouse; nor does the combination suggest the projector, the handwriting input device, the digital camera, the key board, and the mouse are connected to the computer main unit.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring

way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Lee, Knox, Chang, Furnas et al., or Sen et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Serial No. 10/716,490

Neither Lee, Knox, Chang, Furnas et al., nor Sen et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's amended claims.

Summary

In view of the foregoing, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should the Examiner not be of the opinion that this case is in condition for allowance, it is requested that this amendment be entered for the purposes of appeal, since it materially reduces the issues on appeal by cancelling claims 2, 10 and 11, thereby rendering moot the outstanding rejections under 35 U.S.C. § 103.

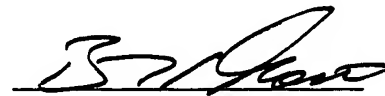
It is not believed that the foregoing amendments to claim 14 requires any further searching and/or consideration on the part of the Examiner, since such amendment merely includes incorporating the language of canceled claim 2 and 10 into claim 14. Thus, the Examiner would have inherently searched this subject matter during the previous consideration of claims 2 and 10.

Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: April 4, 2005

By:



Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Louisbourg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707